

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

ORION IP, LLC,	)	
	)	
Plaintiff,	)	
v.	)	Civil Action No. 6:07-cv-106-LED
	)	
COSTCO WHOLESALE CORP. et al.	)	Hon. Leonard E. Davis
	)	
Defendants	)	
	)	

**UNOPPOSED MOTION TO CORRECT  
ENTERED ORDER OF DISMISSAL WITH PREJUDICE**

COME NOW Defendants Verizon Communications Inc. and Cellco Partnership d/b/a Verizon Wireless (“Verizon”) and file this Unopposed Motion To Correct Entered Order Of Dismissal With Prejudice, and in support thereof would respectfully show the Court as follows:

Typographical errors occurred in the name of one of the Verizon parties in the Order Of Dismissal With Prejudice entered on May 24, 2007. Verizon requests correction, and Plaintiff has agreed to the correction and does not oppose this motion.

A form of Order with the typographical errors corrected accompanies this Motion.

Entry of the Corrected Order is respectfully requested.

May 29, 2007

Respectfully submitted,

/s/ Thomas L. Giannetti  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

ATTORNEY FOR DEFENDANTS  
VERIZON COMMUNICATIONS INC., and  
CELLCO PARTNERSHIP D/B/A VERIZON  
WIRELESS

### **CERTIFICATE OF SERVICE**

I hereby certify that the foregoing document was filed electronically with the Court on May 29, 2007. Pursuant to Local Rule CV-5(a), this constitutes service on counsel of record who are deemed to have consented to electronic service. Any other counsel will be served by electronic mail, facsimile, and/or first class mail on this date.

/s/ Thomas L. Giannetti  
Thomas L. Giannetti

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COSTCO WHOLESALE CORP., et al.	)	Hon. Leonard E. Davis
	)	
Defendants	)	
	)	

**CORRECTED ORDER OF DISMISSAL WITH PREJUDICE**

CAME ON THIS DAY for consideration of the Unopposed Motion To Correct Entered Order Of Dismissal With Prejudice of all claims and counterclaims asserted between plaintiff, Orion IP, LLC, and defendants, Verizon Communications Inc. and Cellco Partnership d/b/a Verizon Wireless, in this case, and the Court being of the opinion that said motion should be GRANTED, it is hereby

ORDERED, ADJUDGED AND DECREED that the Complaint, which names Verizon Communications, Inc. (with a comma), an inactive Delaware corporation, and Verizon Wireless, Inc., a nonexistent entity, is amended to substitute Verizon Communications Inc. and Cellco Partnership d/b/a Verizon Wireless as defendants in place thereof; and

ORDERED, ADJUDGED AND DECREED that all claims and counterclaims asserted in this suit between plaintiff, Orion IP, LLC, and defendants, Verizon Communications Inc. and Cellco Partnership d/b/a Verizon Wireless, are hereby dismissed with prejudice.

It is also ORDERED that all attorneys' fees and costs are to be borne by the party that incurred them.

It is further ORDERED that this Corrected Order supersede the Order Of Dismissal With Prejudice entered on May 24, 2007 and that this Order be effective as of May 24, 2007, nunc pro tunc.